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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,886	02/04/2004	Barbara Tornaghi	FLEX-00101	5366

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EXAMINER

SMITH, SHEILA B

ART UNIT PAPER NUMBER

2681

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/772,886	TORNAGHI, BARBARA	
	Examiner	Art Unit	
	Sheila B. Smith	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 04 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation “substantially planar” it is unclear to the examiner what is meant by substantially planar.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by San Giovanni (U. S. Patent Publication 2002/0102946).

Regarding claim 1, San Giovanni discloses essentially all the claimed invention as set forth in the instant application, further San Giovanni discloses a modular two-body design for integration of mobile computing device features with a wireless communication device. In addition San Giovanni discloses as best understood by the examiner in view of the 112 rejection, a electronic device (100) comprising a.) a first substantially planar panel including a

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first interface (102), the first panel having a first axis of rotation perpendicular to the first panel; and b. a second substantially planar panel including a second interface(104), the second panel having a second axis of rotation perpendicular to the second panel and rotatably joined to the first panel such that the first axis of rotation and the second axis rotation are co-linear (which reads on “The universal joint includes a pivot for rotating the information input/output device over a vertical axis and a swivel for rotating the information input/output device over a horizontal axis” disclosed in the abstract of San Giovanni); wherein in a first position the second interface is obscured by the first panel (which reads on paragraph 0023) and in a second position the second interface is exposed (which is exhibited in figure 1).

Regarding claim 2, San Giovanni discloses the first panel includes a display (108), such that when the device is configured in the first position, the first interface controls the display and when the device is configured in the second position the second interface (110) controls the display (108 and which reads on paragraph 0032).

Regarding claim 3, San Giovanni discloses the first panel includes a display, such that when the device is configured in the first position, an entry made on the first interface is displayed on the display, and when the device is configured in the second position, an entry made on the second interface is displayed on the display (108 and which reads on paragraph 0032).

Regarding claim 4, San Giovanni discloses the first panel includes a display, such that when the device is configured in the first position, an entry made on the first interface is

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displayed on the display, and when the device is configured in the second position, entries made on the first interface and the second interface are displayed on the display (108 and which reads on paragraph 0032).

Regarding claim 5, San Giovanni discloses the device operates in a first mode when configured in the first position and operates in a second mode when configured in the second position (which reads on paragraph 0023).

Regarding claim 6, San Giovanni discloses the first panel is operatively coupled to the second panel to allow an exchange of electronic data (which reads on paragraph 0001).

Regarding claim 7, San Giovanni discloses the device is a portable handheld device (which reads on paragraph 0001).

Regarding claim 8, San Giovanni discloses the first panel further comprises a front side and a back side, wherein the front side of the first panel includes the display and the first interface, and the back side of the first panel includes an engaging end (which reads on paragraph 0023).

Regarding claim 9, San Giovanni discloses the second panel further comprises a receiving end (114, which reads on paragraph 0023).

Regarding claim 10, San Giovanni discloses when the device is configured in one of the first position and in the second position, the receiving end receives the engaging end (which reads on paragraph 0023).

Regarding claim 11, San Giovanni discloses the first panel further comprises a front side and a back side, wherein the front side of the first panel includes the display and the first

interface, and the back side of the first panel includes a receiving end (which reads on paragraph 0023).

Regarding claim 12, San Giovanni discloses the second panel further comprises an engaging end (which reads on paragraph 0023).

Regarding claim 13, San Giovanni discloses when the device is configured in one of the first position and in the second position, the receiving end receives the engaging end (which reads on paragraph 0023).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 14-30 rejected under 35 U.S.C. 103(a) as being unpatentable over San Giovanni in view of Lenchik et al. (U. S. Patent Number 6,658,272)

Regarding claims 14, 22, 23, 24, San Giovanni discloses a wireless telecommunications device comprising a. a first panel (102) including a front side and a back side (108), wherein the front side further comprises a display and a telephone interface (which reads on an input device disclosed in paragraph 0019), the first panel having a first axis of rotation; b. a second panel (104) including a keyboard (110), the second panel having a second axis of rotation, the second panel rotatably coupled to the first panel such that in a first position the keyboard is obscured by the first panel (which reads on paragraph 0023), and in a second position the keyboard is

exposed (which is exhibited in figure 1), wherein in the first position an entry made on the telephone interface is displayed on the display and in the second position an entry made on the keyboard is displayed on the display (which reads on “Additionally, the integrated computing wireless communication apparatus 100 may contain a trigger providing functionality to activate the display 108 or various output images on the display 108” disclosed in paragraph 0032 of San Giovanni), however San Giovanni fails to specifically disclose a digital camera lens mounted to a surface of the back side of the first panel, such that in a first position the camera lens is obscured by the second panel, and in a third position the camera lens is exposed.

In the same field of endeavor, Lenchik et al. discloses a self configuring multiple element portable electronic device. In addition Lenchik et al. discloses a digital camera lens (29) mounted to a surface of the back side of the first panel (104), such that in a first position the camera lens is obscured by the second panel (106) (which reads on column 3 lines 22-25), and in a third position the camera lens is exposed (as exhibited in figure 19).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve San Giovanni by modifying a modular two-body design for integration of mobile computing device features with a wireless communication device with a digital camera lens mounted to a surface of the back side of the first panel, such that in a first position the camera lens is obscured by the second panel, and in a third position the camera lens is exposed as taught by Lenchik et al. for the purpose of creating a device that is intuitively simple to use.

Regarding claim 15, the combination of San Giovanni in view of Lenchik et al. discloses everything claimed as applied above (see claim 14) in addition San Giovanni discloses in the second position, entries made on both the keyboard and the telephone interface are displayed on the display (which reads on paragraph 0020).

Regarding claims 16 and 18, the combination of San Giovanni in view of Lenchik et al. discloses everything claimed as applied above (see claim 14) in addition San Giovanni discloses in the third position, the keyboard is obscured (which reads on paragraph 0023).

Regarding claim 17, the combination of San Giovanni in view of Lenchik et al. discloses everything claimed as applied above (see claim 14) in addition San Giovanni discloses the second panel rotates in a first direction from the first position toward the second position and the third position (which reads on paragraph 0023).

Regarding claim 19, the combination of San Giovanni in view of Lenchik et al. discloses everything claimed as applied above (see claim 14) in addition San Giovanni discloses when the device is configured in the second position, the second panel is rotated about 180 degrees from the first panel (which reads on paragraph 0024).

Regarding claims 20,21, the combination of San Giovanni in view of Lenchik et al. discloses everything claimed as applied above (see claim 14) in addition San Giovanni discloses the second panel rotates in a first direction from the first position toward the second position and in a second direction from the first position toward the third position, wherein the second direction is opposite to the first direction (which reads on paragraph 0023).

Regarding claim 25, the combination of San Giovanni in view of Lenchik et al. discloses everything claimed as applied above (see claim 14) in addition San Giovanni discloses the front

side of the first panel includes the display and the first interface, and the back side of the first panel includes an engaging end (which reads on paragraph 0024).

Regarding claim 26, the combination of San Giovanni in view of Lenchik et al. discloses everything claimed as applied above (see claim 14) in addition San Giovanni discloses the second panel further comprises a receiving end (which reads on paragraph 0024).

Regarding claim 27, the combination of San Giovanni in view of Lenchik et al. discloses everything claimed as applied above (see claim 14) in addition San Giovanni discloses when the device is in one of the first position, the second position, and the third position, the receiving end receives the engaging end (which reads on paragraph 0024).

Regarding claim 28, the combination of San Giovanni in view of Lenchik et al. discloses everything claimed as applied above (see claim 14) in addition San Giovanni discloses the front side of the first panel includes the display and the first interface, and the back side of the first panel includes a receiving end (which reads on paragraph 0024).

Regarding claim 29, the combination of San Giovanni in view of Lenchik et al. discloses everything claimed as applied above (see claim 14) in addition San Giovanni discloses the second panel further comprises an engaging end (which reads on paragraph 0024).


Regarding claim 30, the combination of San Giovanni in view of Lenchik et al. discloses everything claimed as applied above (see claim 14) in addition San Giovanni discloses when the device is in one of the first position, the second position, and the third position, the receiving end receives the engaging end (which reads on paragraph 0024).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheila B. Smith whose telephone number is (703)305-0104. The examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 703-308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Smith 
September 18, 2004


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